

AMENDED IN SENATE JULY 2, 2014  
AMENDED IN ASSEMBLY MAY 23, 2014  
AMENDED IN ASSEMBLY MAY 1, 2014  
AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2216**

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**Introduced by Assembly Member Muratsuchi**

February 20, 2014

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An act to amend ~~Section~~ *Sections 2575 and 42238.03* of the Education Code, relating to regional occupational centers and programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2216, as amended, Muratsuchi. Regional occupational centers and programs: funding.

Existing law authorizes the county superintendent of schools of each county, with the consent of the State Board of Education, to establish and maintain a regional occupational center, or regional occupational program, in the county to provide education and training in career technical courses. Existing law also authorizes the governing boards of any school district maintaining high schools in the county, with the consent of the state board and county superintendent of schools, to cooperate in the establishment and maintenance of a regional occupational center or program, except as specified, and authorizes the establishment and maintenance of a regional occupational center or program by 2 or more school districts to be undertaken pursuant to a joint powers ~~authority~~ *agreement*. Existing law requires that, for the 2013–14 and 2014–15 fiscal years only, of the funds a school district,

*county office of education, or joint powers agency* receives for purposes of regional occupational centers or programs, the school district, *county office of education, or joint powers agency* expend no less than the amount of funds the school district, *county office of education, or joint powers agency* expended for purposes of regional occupational centers or programs in the 2012–13 fiscal year.

This bill would extend that expenditure requirement to the 2016–17 fiscal year.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 2575 of the Education Code is amended  
2     to read:

3     2575. (a) Commencing with the 2013–14 fiscal year and for  
4     each fiscal year thereafter, the Superintendent shall calculate a  
5     base entitlement for the transition to the county local control  
6     funding formula for each county superintendent of schools based  
7     on the sum of the amounts computed pursuant to paragraphs (1)  
8     to (3), inclusive, as adjusted pursuant to paragraph (4):

9     (1) Revenue limits in the 2012–13 fiscal year pursuant to Article  
10    3 (commencing with Section 2550) of Chapter 12, as that article  
11    read on January 1, 2013, adjusted only for changes in average daily  
12    attendance claimed by the county superintendent of schools for  
13    pupils identified in clauses (i), (ii), and (iii) of subparagraph (A)  
14    of paragraph (4) of subdivision (c) of Section 2574 and for pupils  
15    attending juvenile court schools. For purposes of this paragraph,  
16    the calculation of an amount per unit of average daily attendance  
17    for pupils attending juvenile court schools shall be considered final  
18    for purposes of this section as of the annual apportionment for the  
19    2012–13 fiscal year, as calculated for purposes of the certification  
20    required on or before February 20, 2014, pursuant to Sections  
21    41332 and 41339. All other average daily attendance claimed by  
22    the county superintendent of schools and any other average daily  
23    attendance used for purposes of calculating revenue limits pursuant  
24    to Article 3 (commencing with Section 2550) of Chapter 12, as  
25    that article read on January 1, 2013, shall be considered final for  
26    purposes of this section as of the annual apportionment for the  
27    2012–13 fiscal year, as calculated for purposes of the certification

1 required on or before February 20, 2014, pursuant to Sections  
2 41332 and 41339.

3 (2) The sum of all of the following:

4 (A) The amount of funding received from appropriations  
5 contained in Section 2.00 of the Budget Act of 2012, as adjusted  
6 by Section 12.42, in the following items: 6110-104-0001,  
7 6110-105-0001, 6110-107-0001, 6110-108-0001, 6110-111-0001,  
8 6110-124-0001, 6110-128-0001, 6110-137-0001, 6110-144-0001,  
9 6110-156-0001, 6110-181-0001, 6110-188-0001, 6110-189-0001,  
10 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001,  
11 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001,  
12 6110-212-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001,  
13 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001,  
14 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001,  
15 6110-260-0001, 6110-265-0001, 6110-266-0001, 6110-267-0001,  
16 6110-268-0001, and 6360-101-0001, 2012–13 fiscal year funding  
17 for the Class Size Reduction Program pursuant to Chapter 6.10  
18 (commencing with Section 52120) of Part 28 of Division 4 of Title  
19 2, as that chapter read on January 1, 2013, and 2012–13 fiscal year  
20 funding for pupils enrolled in community day schools who are  
21 mandatorily expelled pursuant to subdivision (d) of Section 48915.  
22 For purposes of this subparagraph, the 2012–13 fiscal year  
23 appropriations described in this subparagraph shall be considered  
24 final as of the annual apportionment for the 2012–13 fiscal year,  
25 as calculated for purposes of the certification required on or before  
26 February 20, 2014, pursuant to Sections 41332 and 41339.

27 (B) The amount of local revenues used to support a regional  
28 occupational center or program established and maintained by a  
29 county superintendent of schools pursuant to Section 52301.

30 (3) For the 2014–15 fiscal year and for each fiscal year  
31 thereafter, the sum of the amounts apportioned to the county  
32 superintendent of schools pursuant to subdivision (f) in all prior  
33 years.

34 (4) The revenue limit amount determined pursuant to paragraph  
35 (1) shall be increased by the difference determined by subtracting  
36 the amount provided per unit of average daily attendance in  
37 paragraph (1) for pupils attending a school that is eligible for  
38 funding pursuant to paragraph (2) of subdivision (b) of Section  
39 42285 from the amount of funding that was provided to eligible

1 schools in the 2012–13 fiscal year pursuant to Sections 42284 and  
2 42238.146, as those sections read on January 1, 2013.

3 (b) The Superintendent shall annually compute a county local  
4 control funding formula transition adjustment for each county  
5 superintendent of schools as follows:

6 (1) Subtract the amount computed pursuant to subdivision (a)  
7 from the amount computed pursuant to subdivision (e) of Section  
8 2574. A difference of less than zero shall be deemed to be zero.

9 (2) Divide the difference for each county superintendent of  
10 schools calculated pursuant to paragraph (1) by the total sum of  
11 the differences for all county superintendents of schools calculated  
12 pursuant to paragraph (1).

13 (3) Multiply the proportion calculated for each county  
14 superintendent of schools pursuant to paragraph (2) by the amount  
15 of funding specifically appropriated for purposes of subdivision  
16 (f). The amount calculated shall not exceed the difference for the  
17 county superintendent of schools calculated pursuant to paragraph  
18 (1).

19 (c) The Superintendent shall subtract from the amount calculated  
20 pursuant to subdivision (a) the sum of each of the following:

21 (1) Local property tax revenues received pursuant to Section  
22 2573 in the then current fiscal year.

23 (2) Any amounts that the county superintendent of schools was  
24 required to maintain as restricted and not available for expenditure  
25 in the 1978–79 fiscal year as specified in the second paragraph of  
26 subdivision (c) of Section 6 of Chapter 292 of the Statutes of 1978,  
27 as amended by Chapter 51 of the Statutes of 1979.

28 (3) The amount received pursuant to subparagraph (C) of  
29 paragraph (3) of subdivision (a) of Section 33607.5 of the Health  
30 and Safety Code that is considered property taxes pursuant to that  
31 section.

32 (4) The amount, if any, received pursuant to Sections 34177,  
33 34179.5, 34179.6, 34183, and 34188 of the Health and Safety  
34 Code.

35 (5) The amount, if any, received pursuant to subparagraph (B)  
36 of paragraph (3) of subdivision (e) of Section 36 of Article XIII  
37 of the California Constitution.

38 (d) The Superintendent shall subtract from the amount computed  
39 pursuant to subdivision (e) of Section 2574 the sum of the amounts

1 computed pursuant to paragraphs (1) to (5), inclusive, of  
2 subdivision (c).

3 (e) The Superintendent shall annually apportion to each county  
4 superintendent of schools the amount calculated pursuant to  
5 subdivision (c) unless the amount computed pursuant to subdivision  
6 (c) is negative. If the amount computed is negative, except as  
7 provided in subdivision (f), an amount of property tax of the county  
8 superintendent of schools equal to the negative amount shall be  
9 deemed restricted and not available for expenditure during the  
10 fiscal year. In the following fiscal year, that amount, excluding  
11 any amount of funds used for purposes of subdivision (f), shall be  
12 considered restricted local property tax revenue for purposes of  
13 subdivision (a) of Section 2578. State aid shall not be apportioned  
14 to the county superintendent of schools pursuant to this subdivision  
15 if the amount computed pursuant to subdivision (c) is negative.

16 (f) (1) The Superintendent shall apportion, from an  
17 appropriation specifically made for this purpose, the amount  
18 computed pursuant to subdivision (b), or, if the amount computed  
19 pursuant to subdivision (c) is negative, the sum of the amounts  
20 computed pursuant to subdivisions (b) and (c) if the sum is greater  
21 than zero.

22 (2) The Superintendent shall apportion any portion of the  
23 appropriation made for purposes of paragraph (1) that is not  
24 apportioned pursuant to paragraph (1) pursuant to the following  
25 calculation:

26 (A) Add the amount calculated pursuant to subdivision (b) to  
27 the amount computed pursuant to subdivision (a) for a county  
28 superintendent of schools.

29 (B) Subtract the amount computed pursuant to subparagraph  
30 (A) from the amount computed pursuant to subdivision (e) of  
31 Section 2574 for the county superintendent of schools.

32 (C) Divide the difference for the county superintendent of  
33 schools computed pursuant to subparagraph (B) by the sum of the  
34 differences for all county superintendents of schools computed  
35 pursuant to subparagraph (B).

36 (D) Multiply the proportion computed pursuant to subparagraph  
37 (C) by the unapportioned balance in the appropriation. That product  
38 shall be the county superintendent of schools' proportion of total  
39 need.

1 (E) Apportion to each county superintendent of schools the  
2 amount calculated pursuant to subparagraph (D), or if subdivision  
3 (c) is negative, apportion the sums of subdivisions (b) and (c) and  
4 subparagraph (D) of this subdivision if the sum is greater than  
5 zero.

6 (F) The Superintendent shall repeat the computation made  
7 pursuant to this paragraph, accounting for any additional amounts  
8 apportioned after each computation, until the appropriation made  
9 for purposes of paragraph (1) is fully apportioned.

10 (G) The total amount apportioned pursuant to this subdivision  
11 to a county superintendent of schools shall not exceed the  
12 difference for the county superintendent of schools calculated  
13 pursuant to paragraph (1) of subdivision (b).

14 (H) For purposes of this paragraph, the proportion of need that  
15 is funded from any appropriation made specifically for purposes  
16 of this subdivision in the then current fiscal year shall be considered  
17 fixed as of the second principal apportionment for that fiscal year.  
18 Adjustments to a county superintendent of schools' total need  
19 computed pursuant to subparagraph (D) after the second principal  
20 apportionment for the then current fiscal year shall be funded based  
21 on the fixed proportion of need that is funded for that fiscal year  
22 pursuant to this subdivision, and shall be continuously appropriated  
23 pursuant to Section 14002.

24 (g) (1) For a county superintendent of schools for whom, in the  
25 2013–14 fiscal year, the amount computed pursuant to subdivision  
26 (c) is less than the amount computed pursuant to subdivision (d),  
27 in the first fiscal year following the fiscal year in which the sum  
28 of the apportionments computed pursuant to subdivisions (e) and  
29 (f) is equal to, or greater than, the amount computed pursuant to  
30 subdivision (d) of this section, the Superintendent shall apportion  
31 to the county superintendent of schools the amount computed in  
32 subdivision (d) in that fiscal year and each fiscal year thereafter  
33 instead of the amounts computed pursuant to subdivisions (e) and  
34 (f).

35 (2) For a county superintendent of schools for whom, in the  
36 2013–14 fiscal year, the amount computed pursuant to subdivision  
37 (c) is greater than the amount computed pursuant to subdivision  
38 (d), in the first fiscal year in which the amount computed pursuant  
39 to subdivision (c) would be less than the amount computed pursuant  
40 to subdivision (d), the Superintendent shall apportion to the county

1 superintendent of schools the amount computed in subdivision (d)  
2 in that fiscal year and each fiscal year thereafter instead of the  
3 amounts computed pursuant to subdivisions (e) and (f).

4 (3) In each fiscal year, the Superintendent shall determine the  
5 percentage of county superintendents of schools that are  
6 apportioned funding that is less than the amount computed pursuant  
7 to subdivision (d), as of the second principal apportionment of the  
8 fiscal year. If the percentage is less than 10 percent, the  
9 Superintendent shall apportion to those county superintendents of  
10 schools funding equal to the amount computed in subdivision (d)  
11 in that fiscal year and for each fiscal year thereafter instead of the  
12 amounts calculated pursuant to subdivisions (e) and (f).

13 (4) Commencing with the first fiscal year after the  
14 apportionments in paragraph (3) are made, the adjustments in  
15 paragraph (4) of subdivision (a) of Section 2574 and subparagraph  
16 (B) of paragraph (1) of subdivision (c) of Section 2574 shall be  
17 made only if an appropriation for those purposes is included in the  
18 annual Budget Act.

19 (5) If the calculation pursuant to subdivision (d) is negative and  
20 the Superintendent apportions to a county superintendent of schools  
21 the amount computed pursuant to subdivision (d) pursuant to  
22 paragraph (1), (2), or (3) of this subdivision, an amount of property  
23 tax of the county superintendent of schools equal to the negative  
24 amount shall be deemed restricted and not available for expenditure  
25 during that fiscal year. In the following fiscal year the restricted  
26 amount shall be considered restricted local property tax revenue  
27 for purposes of subdivision (a) of Section 2578.

28 (h) Commencing with the 2013–14 fiscal year, the  
29 Superintendent shall apportion to a county superintendent of  
30 schools an amount of state aid, including any amount apportioned  
31 pursuant to subdivisions (f) and (g), that is no less than the amount  
32 calculated in subparagraph (A) of paragraph (2) of subdivision (a).

33 (i) (1) For the 2013–14 ~~and 2014–15~~ to 2016–17 fiscal years,  
34 *inclusive*, only, a county superintendent of schools who, in the  
35 2012–13 fiscal year, from any of the funding sources identified in  
36 paragraph (1) or (2) of subdivision (a), received funds on behalf  
37 of, or provided funds to, a regional occupational center or program  
38 joint powers agency established in accordance with Article 1  
39 (commencing with Section 6500) of Chapter 5 of Division 7 of  
40 Title 1 of the Government Code for purposes of providing

1 instruction to pupils enrolled in grades 9 to 12, inclusive, shall not  
2 redirect that funding for another purpose unless otherwise  
3 authorized by law or pursuant to an agreement between the regional  
4 occupational center or program joint powers agency and the  
5 contracting county superintendent of schools.

6 (2) For the 2013–14 and 2014–15 fiscal years only, to 2016–17  
7 fiscal years, inclusive, only, if a regional occupational center or  
8 program joint powers agency established in accordance with Article  
9 1 (commencing with Section 6500) of Chapter 5 of Division 7 of  
10 Title 1 of the Government Code for purposes of providing  
11 instruction to pupils enrolled in grades 9 to 12, inclusive, received,  
12 in the 2012–13 fiscal year, an apportionment of funds directly from  
13 any of the funding sources identified in subparagraph (A) of  
14 paragraph (2) of subdivision (a), the Superintendent shall apportion  
15 that same amount to the regional occupational center or program  
16 joint powers agency.

17 (j) For the 2013–14 and 2014–15 fiscal years only, a county  
18 superintendent of schools who, in the 2012–13 fiscal year, from  
19 any of the funding sources identified in paragraph (1) or (2) of  
20 subdivision (a), received funds on behalf of, or provided funds to,  
21 a home-to-school transportation joint powers agency established  
22 in accordance with Article 1 (commencing with Section 6500) of  
23 Chapter 5 of Division 7 of Title 1 of the Government Code for  
24 purposes of providing pupil transportation shall not redirect that  
25 funding for another purpose unless otherwise authorized by law  
26 or pursuant to an agreement between the home-to-school  
27 transportation joint powers agency and the contracting county  
28 superintendent of schools.

29 (k) (1) In addition to subdivision (j), of the funds a county  
30 superintendent of schools receives for home-to-school  
31 transportation programs, the county superintendent of schools shall  
32 expend, pursuant to Article 2 (commencing with Section 39820)  
33 of Chapter 1 of Part 23.5 of Division 3 of Title 2, Article 10  
34 (commencing with Section 41850) of Chapter 5 of Part 24 of  
35 Division 3 of Title 2, and the Small School District Transportation  
36 program, as set forth in Article 4.5 (commencing with Section  
37 42290) of Chapter 7 of Part 24 of Division 3 of Title 2, no less for  
38 those programs than the amount of funds the county superintendent  
39 of schools expended for home-to-school transportation in the  
40 2012–13 fiscal year.



(2) For the 2013–14 and 2014–15 fiscal years only, if a home-to-school transportation joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing pupil transportation received, in the 2012–13 fiscal year, an apportionment of funds directly from the Superintendent from any of the funding sources identified in subparagraph (A) of paragraph (2) of subdivision (a), the Superintendent shall apportion that same amount to the home-to-school transportation joint powers agency.

(3) For the 2013–14 ~~and 2014–15~~ to 2016–17 fiscal years, *inclusive*, only, of the funds a county superintendent of schools receives for purposes of regional occupational centers or ~~programs~~, ~~or adult education~~, *programs*, the county superintendent of schools shall expend no less for ~~each of those programs~~ than the amount of funds the county superintendent of schools expended for purposes of regional occupational centers or ~~programs~~, ~~or adult education~~, *respectively, programs*, in the 2012–13 fiscal year. For purposes of this paragraph, a county superintendent of schools may include expenditures made by a school district within the county for purposes of regional occupational centers or programs so long as the total amount of expenditures made by the school districts and the county superintendent of schools equals or exceeds the total amount required to be expended for purposes of regional occupational centers or programs pursuant to this paragraph and paragraph (7) of subdivision (a) of Section 42238.03.

(4) *For the 2013–14 and 2014–15 fiscal years only, of the funds a county superintendent of schools receives for purposes of adult education, the county superintendent of schools shall expend no less than the amount of funds the county superintendent of schools expended for purposes of adult education in the 2012–13 fiscal year.*

(l) The funds apportioned pursuant to this section and Section 2574 shall be available to implement the activities required pursuant to Article 4.5 (commencing with Section 52060) of Chapter 6.1 of Part 28 of Division 4 of Title 2.

*SEC. 2. Section 42238.03 of the Education Code is amended to read:*

42238.03. (a) Commencing with the 2013–14 fiscal year and each fiscal year thereafter, the Superintendent shall calculate a

1 base entitlement for the transition to the local control funding  
2 formula for each school district and charter school equal to the  
3 sum of the amounts computed pursuant to paragraphs (1) to (4),  
4 inclusive. The amounts computed pursuant to paragraphs (1) to  
5 (4), inclusive, shall be continuously appropriated pursuant to  
6 Section 14002.

7 (1) The current fiscal year base entitlement funding level shall  
8 be the sum of all of the following:

9 (A) For school districts, revenue limits in the 2012–13 fiscal  
10 year as computed pursuant to Article 2 (commencing with Section  
11 42238), as that article read on January 1, 2013, divided by the  
12 2012–13 average daily attendance of the school district computed  
13 pursuant to Section 42238.05. That quotient shall be multiplied  
14 by the current fiscal year average daily attendance of the school  
15 district computed pursuant Section 42238.05. A school district's  
16 2012–13 fiscal year revenue limit funding shall exclude amounts  
17 computed pursuant to Article 4 (commencing with Section 42280).  
18 For purposes of this subparagraph, 2012–13 fiscal year average  
19 daily attendance and 2012–13 fiscal year revenue limits shall be  
20 considered final as of the annual apportionment for the 2012–13  
21 fiscal year, as calculated for purposes of the certification required  
22 on or before February 20, 2014, pursuant to Sections 41332 and  
23 41339.

24 (B) (i) For charter schools, general purpose funding in the  
25 2012–13 fiscal year as computed pursuant to Article 2  
26 (commencing with Section 47633) of Chapter 6 of Part 26.8 of  
27 Division 4, as that article read on January 1, 2013, and the amount  
28 of in-lieu property tax provided to the charter school pursuant to  
29 Section 47635, as that section read on June 30, 2013, divided by  
30 the 2012–13 average daily attendance of the charter school  
31 computed pursuant to Section 42238.05. That quotient shall be  
32 multiplied by the current fiscal year average daily attendance of  
33 the charter school computed pursuant to Section 42238.05. For  
34 purposes of this subparagraph, 2012–13 fiscal year average daily  
35 attendance and 2012–13 fiscal year general purpose funding, as  
36 computed pursuant to Article 2 (commencing with Section 47633)  
37 of Chapter 6 of Part 26.8 of Division 4, as that article read on  
38 January 1, 2013, shall be considered final as of the annual  
39 apportionment for the 2012–13 fiscal year, as calculated for

1 purposes of the certification required on or before February 20,  
2 2014, pursuant to Sections 41332 and 41339.

3 (ii) The amount computed pursuant to clause (i) shall exclude  
4 funds received by a charter school pursuant to Section 47634.1,  
5 as that section read on January 1, 2013.

6 (C) The amount computed pursuant to subparagraph (A) shall  
7 exclude funds received pursuant to Section 47633, as that section  
8 read on January 1, 2013.

9 (D) For school districts, funding for qualifying necessary small  
10 ~~high-school schools~~ and necessary small elementary schools shall  
11 be adjusted to reflect the funding levels that correspond to the  
12 2012–13 necessary small high school and necessary small  
13 elementary school allowances pursuant to Article 4 (commencing  
14 with Section 42280) and Section 42238.146, as those provisions  
15 read on January 1, 2013.

16 (2) (A) Entitlements from items contained in Section 2.00, as  
17 adjusted pursuant to Section 12.42, of the Budget Act of 2012 for  
18 Items 6110-104-0001, 6110-105-0001, 6110-108-0001,  
19 6110-111-0001, 6110-124-0001, 6110-128-0001, 6110-137-0001,  
20 6110-144-0001, 6110-156-0001, 6110-181-0001, 6110-188-0001,  
21 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001,  
22 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001,  
23 6110-211-0001, 6110-212-0001, 6110-227-0001, 6110-228-0001,  
24 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001,  
25 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001,  
26 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001,  
27 6110-268-0001, and 6360-101-0001, 2012–13 fiscal year funding  
28 for the Class Size Reduction Program pursuant to Chapter 6.10  
29 (commencing with Section 52120) of Part 28 of Division 4, as it  
30 read on January 1, 2013, and 2012–13 fiscal year funding for pupils  
31 enrolled in community day schools who are mandatorily expelled  
32 pursuant to subdivision (d) of Section 48915. The entitlement for  
33 basic aid school districts shall include the reduction of 8.92 percent  
34 as applied pursuant to subparagraph (A) of paragraph (1) of  
35 subdivision (a) of Section 89 of Chapter 38 of the Statutes of 2012.  
36 For purposes of this subparagraph, 2012–13 fiscal year entitlements  
37 shall be considered final as of the annual apportionment for the  
38 2012–13 fiscal year, as calculated for purposes of the certification  
39 required on or before February 20, 2014, pursuant to Sections  
40 41332 and 41339.

(B) Commencing with the 2014–15 fiscal year, the entitlements identified in subparagraph (A) shall be adjusted to reflect the exclusion of one-time redevelopment agency liquid asset recovery revenue, pursuant to Section 34179.5 and following, of the Health and Safety Code, before the application of the 8.92-percent reduction applied pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 3 of Chapter 2 of the Statutes of 2012.

(3) The allocations pursuant to Sections 42606 and 47634.1, as those sections read on January 1, 2013, divided by the 2012–13 average daily attendance of the charter school computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the charter school computed pursuant to Section 42238.05.

(4) The amount allocated to a school district or charter school pursuant to paragraph (3) of subdivision (b) for the fiscal years before the current fiscal year divided by the average daily attendance of the school district or charter school for the fiscal years before the current fiscal year computed pursuant to Section 42238.05. That quotient shall be multiplied by the current fiscal year average daily attendance of the school district or charter school computed pursuant to Section 42238.05.

(5) (A) For the 2013–14 and 2014–15 fiscal years only, a school district that, in the 2012–13 fiscal year, from any of the funding sources identified in paragraph (1) or (2), received funds on behalf of, or provided funds to, a regional occupational center or program joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing instruction to secondary pupils shall not redirect that funding for another purpose unless otherwise authorized in law or pursuant to an agreement between the regional occupational center or program joint powers agency and the contracting school district.

(B) For the 2013–14 and 2014–15 fiscal years only, if a regional occupational center or program joint powers agency established in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code for purposes of providing instruction to pupils enrolled in grades 9 to 12, inclusive, received, in the 2012–13 fiscal year, an apportionment of funds directly from any of the funding sources identified in subparagraph (A) of paragraph (2) of subdivision (a),

1 the Superintendent shall apportion that same amount to the regional  
2 occupational center or program joint powers agency.

3 (6) (A) (i) For the 2013–14 and 2014–15 fiscal years only, a  
4 school district that, in the 2012–13 fiscal year, from any of the  
5 funding sources identified in paragraph (1) or (2), received funds  
6 on behalf of, or provided funds to, a home-to-school transportation  
7 joint powers agency established in accordance with Article 1  
8 (commencing with Section 6500) of Chapter 5 of Division 7 of  
9 Title 1 of the Government Code for purposes of providing pupil  
10 transportation shall not redirect that funding for another purpose  
11 unless otherwise authorized in law or pursuant to an agreement  
12 between the home-to-school transportation joint powers agency  
13 and the contracting school district.

14 (ii) For the 2013–14 and 2014–15 fiscal years only, if a  
15 home-to-school transportation joint powers agency established in  
16 accordance with Article 1 (commencing with Section 6500) of  
17 Chapter 5 of Division 7 of Title 1 of the Government Code for  
18 purposes of providing pupil transportation received, in the 2012–13  
19 fiscal year, an apportionment of funds directly from the  
20 Superintendent from any of the funding sources identified in  
21 subparagraph (A) of paragraph (2) of subdivision (a), the  
22 Superintendent shall apportion that same amount to the  
23 home-to-school transportation joint powers agency.

24 (B) In addition to subparagraph (A), of the funds a school district  
25 receives for home-to-school transportation programs the school  
26 district shall expend, pursuant to Article 2 (commencing with  
27 Section 39820) of Chapter 1 of Part 23.5, Article 10 (commencing  
28 with Section 41850) of Chapter 5, and the Small School District  
29 Transportation program, as set forth in Article 4.5 (commencing  
30 with Section 42290) of Chapter 7 of Part 24 of Division 3 of Title  
31 2, no less for those programs than the amount of funds the school  
32 district expended for home-to-school transportation in the 2012–13  
33 fiscal year.

34 (7) *For the 2013–14 and 2014–15 fiscal years only, of the funds*  
35 *a school district receives for purposes of adult education, the*  
36 *school district shall expend no less than the amount of funds the*  
37 *school district expended for purposes of adult education in the*  
38 *2012–13 fiscal year.*

39 (7)

1     ~~(8) For the 2013–14 and 2014–15 fiscal years only, of the funds~~  
2 ~~to 2016–17 fiscal years, inclusive, only, a school district shall~~  
3 ~~expend for regional occupational centers or programs, or adult~~  
4 ~~education, the school district shall expend programs no less than~~  
5 ~~the total amount of funds the school district expended for purposes~~  
6 ~~of regional occupational centers or programs, or adult education,~~  
7 ~~respectively; programs in the 2012–13 fiscal year. For purposes~~  
8 ~~of this paragraph, a school district may include expenditures made~~  
9 ~~by its county office of education within the school district for~~  
10 ~~purposes of regional occupational centers or programs so long as~~  
11 ~~the total amount of expenditures by the school district and the its~~  
12 ~~county office of education equal or exceed the total amount~~  
13 ~~required to be expended for purposes of regional occupational~~  
14 ~~centers or programs pursuant to this paragraph and paragraph (3)~~  
15 ~~of subdivision (k) of Section 2575.~~

16     ~~(8)~~

17     (9) For the 2013–14 and 2014–15 fiscal years only, and for  
18 purposes of ensuring the continuity of essential induction and  
19 training services for beginning teachers, the Alameda County  
20 Superintendent of Schools shall withhold five hundred eighty-one  
21 thousand five hundred forty dollars (\$581,540) from the local  
22 control funding formula apportionments of the Newark Unified  
23 School District, and from those withheld funds shall allocate the  
24 following amounts to the following entities:

25     (A) One hundred forty-seven thousand nine hundred twenty  
26 dollars (\$147,920) to the Alameda Unified School District.

27     (B) One hundred four thousand dollars (\$104,000) to the San  
28 Leandro Unified School District.

29     (C) One hundred sixty-four thousand six hundred twenty dollars  
30 (\$164,620) to the Berkeley Unified School District.

31     (D) One hundred sixty-five thousand dollars (\$165,000) to the  
32 San Lorenzo Unified School District.

33     (b) Compute an annual local control funding formula transition  
34 adjustment for each school district and charter school as follows:

35     (1) Subtract the amount computed pursuant to paragraphs (1)  
36 to (4), inclusive, of subdivision (a) from the amount computed for  
37 each school district or charter school under the local control  
38 funding formula entitlements computed pursuant to Section  
39 42238.02. School districts and charter schools with a negative  
40 difference shall be deemed to have a zero difference.

1 (2) Each school district's and charter school's total need, as  
2 calculated pursuant to paragraph (1), shall be divided by the sum  
3 of all school districts' and charter schools' total need to determine  
4 the school district's or charter school's respective proportions of  
5 total need.

6 (3) (A) Each school district's and charter school's proportion  
7 of total need shall be multiplied by any available appropriations  
8 specifically made for purposes of this subdivision, and added to  
9 the school district's or charter school's funding amounts as  
10 calculated pursuant to subdivision (a).

11 (B) For purposes of subparagraph (A), the proportion of total  
12 need that is funded from any available appropriations specifically  
13 made for purposes of this subdivision for a fiscal year shall be  
14 considered fixed as of the second principal apportionment for that  
15 fiscal year. Adjustments to a school district's or charter school's  
16 total need, as computed pursuant to paragraph (1), subsequent to  
17 the second principal apportionment for a fiscal year, shall be funded  
18 based on the fixed proportion of total need that is funded for that  
19 fiscal year pursuant to this subdivision and shall be continuously  
20 appropriated pursuant to Section 14002.

21 (4) If the total amount of funds appropriated for purposes of  
22 paragraph (3) pursuant to this subdivision are sufficient to fully  
23 fund any positive amounts computed pursuant to paragraph (1),  
24 the local control funding formula grant computed pursuant to  
25 subdivision (c) of Section 42238.02 shall be adjusted to ensure  
26 that any available appropriation authority is expended for purposes  
27 of the local control funding formula.

28 (5) Commencing with the first fiscal year after either paragraph  
29 (4) of this subdivision or paragraph (2) of subdivision (g) applies,  
30 the adjustments in paragraph (2) of subdivision (d) of Section  
31 42238.02 shall be made only if an appropriation for those  
32 adjustments is included in the annual Budget Act.

33 (c) The Superintendent shall subtract from the amounts  
34 computed pursuant to subdivisions (a) and (b) the sum of the  
35 following:

36 (1) (A) For school districts, the property tax revenue received  
37 pursuant to Chapter 3.5 (commencing with Section 75) and Chapter  
38 6 (commencing with Section 95) of Part 0.5 of Division 1 of the  
39 Revenue and Taxation Code.

1 (B) For charter schools, the in-lieu property tax amount provided  
2 to a charter school pursuant to Section 47635.

3 (2) The amount, if any, received pursuant to Part 18.5  
4 (commencing with Section 38101) of Division 2 of the Revenue  
5 and Taxation Code.

6 (3) The amount, if any, received pursuant to Chapter 3  
7 (commencing with Section 16140) of Part 1 of Division 4 of Title  
8 2 of the Government Code.

9 (4) Prior years' taxes and taxes on the unsecured roll.

10 (5) Fifty percent of the amount received pursuant to Section  
11 41603.

12 (6) The amount, if any, received pursuant to the Community  
13 Redevelopment Law (Part 1 (commencing with Section 33000)  
14 of Division 24 of the Health and Safety Code), less any amount  
15 received pursuant to Section 33401 or 33676 of the Health and  
16 Safety Code that is used for land acquisition, facility construction,  
17 reconstruction, or remodeling, or deferred maintenance and that  
18 is not an amount received pursuant to Section 33492.15, or  
19 paragraph (4) of subdivision (a) of Section 33607.5, or Section  
20 33607.7 of the Health and Safety Code that is allocated exclusively  
21 for educational facilities.

22 (7) The amount, if any, received pursuant to Sections 34177,  
23 34179.5, 34179.6, 34183, and 34188 of the Health and Safety  
24 Code.

25 (8) Revenue received pursuant to subparagraph (B) of paragraph  
26 (3) of subdivision (e) of Section 36 of Article XIII of the California  
27 Constitution.

28 (d) A school district or charter school that has a zero difference  
29 pursuant to paragraph (1) of subdivision (b) in the prior fiscal year  
30 shall receive an entitlement equal to the amount calculated pursuant  
31 to Section 42238.02 in the current fiscal year and future fiscal  
32 years.

33 (e) Notwithstanding the computations pursuant to subdivisions  
34 (b) to (d), inclusive, and Section 42238.02, commencing with the  
35 2013–14 fiscal year, a school district or charter school shall receive  
36 state-aid funding of no less than the sum of the amounts computed  
37 pursuant to paragraphs (1) to (3), inclusive.

38 (1) (A) For school districts, revenue limits in the 2012–13 fiscal  
39 year as computed pursuant to Article 2 (commencing with Section  
40 42238), as that article read on January 1, 2013, divided by the



1 2012–13 average daily attendance of the school district computed  
2 pursuant to Section 42238.05. That quotient shall be multiplied  
3 by the current fiscal year average daily attendance of the school  
4 district computed pursuant Section 42238.05. A school district's  
5 2012–13 revenue limit funding shall exclude amounts computed  
6 pursuant to Article 4 (commencing with Section 42280). For  
7 purposes of this subparagraph, 2012–13 fiscal year average daily  
8 attendance and 2012–13 fiscal year revenue limits shall be  
9 considered final as of the annual apportionment for the 2012–13  
10 fiscal year, as calculated for purposes of the certification required  
11 on or before February 20, 2014, pursuant to Sections 41332 and  
12 41339.

13 (B) (i) For charter schools, general purpose funding in the  
14 2012–13 fiscal year as computed pursuant to Article 2  
15 (commencing with Section 47633) of Chapter 6 of Part 26.8 of  
16 Division 4, as that article read on January 1, 2013, and the amount  
17 of in-lieu property tax provided to the charter school in the 2012–13  
18 fiscal year pursuant to Section 47635, as that section read on  
19 January 1, 2013, divided by the 2012–13 average daily attendance  
20 of the charter school computed pursuant to Section 42238.05. That  
21 quotient shall be multiplied by the current fiscal year average daily  
22 attendance of the charter school computed pursuant to Section  
23 42238.05. For purposes of this subparagraph, 2012–13 fiscal year  
24 average daily attendance and 2012–13 fiscal year general purpose  
25 funding, as computed pursuant to Article 2 (commencing with  
26 Section 47633) of Chapter 6 of Part 26.8 of Division 4, as that  
27 article read on January 1, 2013, shall be considered final as of the  
28 annual apportionment for the 2012–13 fiscal year, as calculated  
29 for purposes of the certification required on or before February  
30 20, 2014, pursuant to Sections 41332 and 41339.

31 (ii) The amount computed pursuant to clause (i) shall exclude  
32 funds received by a charter school pursuant to Section 47634.1,  
33 as that section read on January 1, 2013.

34 (C) The amount computed pursuant to subparagraph (A) shall  
35 exclude funds received pursuant to Section 47633, as that section  
36 read on January 1, 2013.

37 (D) For school districts, the 2012–13 funding allowance  
38 provided for qualifying necessary small high schools and necessary  
39 small elementary schools pursuant to Article 4 (commencing with

1 Section 42280) and Section 42238.146, as those provisions read  
2 on January 1, 2013.

3 (E) The amount computed pursuant to subparagraphs (A) to  
4 (D), inclusive, shall be reduced by the sum of the amount computed  
5 pursuant to paragraphs (1) to (8), inclusive, of subdivision (c).

6 (2) (A) Entitlements from items contained in Section 2.00, as  
7 adjusted pursuant to Section 12.42, of the Budget Act of 2012 for  
8 Items 6110-104-0001, 6110-105-0001, 6110-108-0001,  
9 6110-111-0001, 6110-124-0001, 6110-128-0001, 6110-137-0001,  
10 6110-144-0001, 6110-156-0001, 6110-181-0001, 6110-188-0001,  
11 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001,  
12 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001,  
13 6110-211-0001, 6110-212-0001, 6110-227-0001, 6110-228-0001,  
14 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001,  
15 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001,  
16 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-267-0001,  
17 6110-268-0001, and 6360-101-0001, 2012–13 fiscal year funding  
18 for the Class Size Reduction Program pursuant to Chapter 6.10  
19 (commencing with Section 52120) of Part 28 of Division 4, as it  
20 read on January 1, 2013, and 2012–13 fiscal year funding for pupils  
21 enrolled in community day schools who are mandatorily expelled  
22 pursuant to subdivision (d) of Section 48915. The entitlement for  
23 basic aid school districts shall include the reduction of 8.92 percent  
24 as applied pursuant to subparagraph (A) of paragraph (1) of  
25 subdivision (a) of Section 89 of Chapter 38 of the Statutes of 2012.  
26 For purposes of this subparagraph, 2012–13 fiscal year entitlements  
27 shall be considered final as of the annual apportionment for the  
28 2012–13 fiscal year, as calculated for purposes of the certification  
29 required on or before February 20, 2014, pursuant to Sections  
30 41332 and 41339.

31 (B) Commencing with the 2014–15 fiscal year, the entitlements  
32 identified in subparagraph (A) shall be adjusted to reflect the  
33 exclusion of one-time redevelopment agency liquid asset recovery  
34 revenue, pursuant to Section 34179.5 and following, of the Health  
35 and Safety Code, before the application of the 8.92-percent  
36 reduction applied pursuant to subparagraph (A) of paragraph (1)  
37 of subdivision (a) of Section 3 of Chapter 2 of the Statutes of 2012.

38 (C) The Superintendent shall annually apportion any entitlement  
39 provided to the state special schools from the items specified in  
40 subparagraph (A) to the state special schools in the same amount

1 as the state special schools received from those items in the  
2 2012–13 fiscal year.

3 (3) The allocations pursuant to Sections 42606 and 47634.1, as  
4 those sections read on January 1, 2013, divided by the 2012–13  
5 average daily attendance of the charter school. That quotient shall  
6 be multiplied by the current fiscal year average daily attendance  
7 of the charter school.

8 (f) (1) For purposes of this section, commencing with the  
9 2013–14 fiscal year and until all school districts and charter schools  
10 equal or exceed their local control funding formula target computed  
11 pursuant to Section 42238.02, as determined by the calculation of  
12 a zero difference pursuant to paragraph (1) of subdivision (b), a  
13 newly operational charter school shall be determined to have a  
14 prior year per average daily attendance funding amount equal to  
15 the lesser of:

16 (A) The prior year funding amount per unit of average daily  
17 attendance for the school district in which the charter school is  
18 physically located. The Superintendent shall calculate the funding  
19 amount per unit of average daily attendance for this purpose by  
20 dividing the total local control funding formula entitlement,  
21 calculated pursuant to subdivisions (a) and (b), received by that  
22 school district in the prior year by prior year funded average daily  
23 attendance of that school district. For purposes of this  
24 subparagraph, a charter school that is physically located in more  
25 than one school district shall use the calculated local control  
26 funding entitlement per unit of average daily attendance of the  
27 school district with the highest prior year funding amount per unit  
28 of average daily attendance. For purposes of this subparagraph,  
29 the prior year funding amount per unit of average daily attendance  
30 for the school district in which the charter school is physically  
31 located shall be considered final as of the second principal  
32 apportionment of the prior fiscal year.

33 (B) The charter school's local control funding formula rate  
34 computed pursuant to subdivisions (c) to (i), inclusive, of Section  
35 42238.02.

36 (2) For charter schools funded pursuant to paragraph (1), the  
37 charter school shall be eligible to receive growth funding pursuant  
38 to subdivision (b) toward meeting the newly operational charter  
39 school's local control funding formula target.

1 (3) Upon a determination that all school districts and charter  
2 schools equal or exceed the local control funding formula target  
3 computed pursuant to Section 42238.02, as determined by the  
4 calculation of a zero difference pursuant to paragraph (1) of  
5 subdivision (b) for all school districts and charter schools, this  
6 subdivision shall not apply and the charter school shall receive an  
7 allocation equal to the amount calculated under Section 42238.02  
8 in that fiscal year and future fiscal years.

9 (4) For purposes of this subdivision, the determination of a  
10 charter school's physical location shall be considered final as of  
11 the second principal apportionment for the applicable fiscal year.

12 (g) (1) In each fiscal year the Superintendent shall determine  
13 the percentage of school districts that are apportioned funding  
14 pursuant to this section that is less than the amount computed  
15 pursuant to Section 42238.02 as of the second principal  
16 apportionments of the fiscal year. If the percentage is less than 10  
17 percent, the Superintendent shall apportion funding to school  
18 districts and charter schools equal to the amount computed pursuant  
19 to Section 42238.02 in that fiscal year.

20 (2) For each fiscal year thereafter, the Superintendent shall  
21 apportion funding to a school district and charter school equal to  
22 the amount computed pursuant to Section 42238.02.

23  
24  
25 **All matter omitted in this version of the bill**  
26 **appears in the bill as amended in the**  
27 **Assembly, May 23, 2014. (JR11)**  
28